

## REMARKS

Claims 1-29 were examined and reported in the Office Action. Claims 1-3 and 5-29 are rejected. Claims 4 and 8-29 are canceled. Claims 1 is amended. Claims 1-3 and 5-7 remain.

Applicant requests reconsideration of the application in view of the following remarks.

### **I. 35 U.S.C. §112**

It is asserted in the Office Action that claims 12, 17, 22 and 28 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has canceled claims 12, 17, 22 and 28. Therefore, the aforementioned rejections are moot.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejection for claims 12, 17, 22 and 28 is respectfully requested.

### **II. 35 U.S.C. § 102(b)**

It is asserted in the Office Action that claims 1, 2, 3, 6 are rejected under 35 U.S.C. § 102(b), as being anticipated by U. S. Patent 5,223,844 issued to Mansell ("Mansell"). It is asserted in the Office Action that claim 4 would be allowable if rewritten in independent form including the base claim and any intervening claims. Applicant has amended claim 1 (base claim) to contain the limitations of claim 4 and canceled claim 4. Therefore, Applicant asserts that claim 1 is now allowable for the aforementioned reason. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 2, 3 and 6, are also allowable for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejections for claims 1, 2, 3, 6 are respectfully requested.

**III. 35 U.S.C. § 103**

It is asserted in the Office Action that Claims 5, 7-29 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Mansell as applied to claims 1 and 6 above, and further in view of U. S. Patent No. 6,650,894 issued to Bertsis ("Bertsis"). It is asserted in the Office Action that claim 4 would be allowable if rewritten in independent form including the base claim and any intervening claims. Applicant has amended claim 1 (base claim) to contain the limitations of claim 4 and canceled claim 4. Therefore, Applicant asserts that claim 1 is now allowable for the aforementioned reason. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 5 and 7 (claims 8-29 being canceled), are also allowable for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for Claims 5 and 7-29 are respectfully requested.

**IV. Allowable Subject Matter**

Applicant notes with appreciation the Examiner's assertion that claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 1 (base claim) to contain the limitations of claim 4 and canceled claim 4. Therefore, Applicant asserts that claim 1 is now allowable for the aforementioned reason.

Applicant respectfully asserts that claims 1-3 and 5-7, as it now stands, are allowable for the reasons given above.

**CONCLUSION**

In view of the foregoing, it is submitted that claims 1-3 and 5-7 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Dated: August 26, 2004

By: 

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on August 26, 2004.

  
Jean Svoboda